

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION  
ZACHRY INDUSTRIAL, INC.  
Plaintiff, )  
)  
VS. ) Civil Action  
) 4:17-cv-03751  
THREE PHASE LINE )  
CONSTRUCTION, )  
Defendant. )

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ORAL DEPOSITION OF

ALEXIS Z. KATTAMIS, Ph.D., P.E.

OCTOBER 14, 2020

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ORAL DEPOSITION OF ALEXIS Z. KATTAMIS, Ph.D., P.E.,  
produced as a witness at the instance of the PLAINTIFF,  
and duly sworn, was taken in the above-styled and  
numbered cause on the 14th of October, 2020, from  
8:56 a.m. to 2:36 p.m., before Mona S. Whitmarsh,  
Certified Shorthand Reporter, in and for the State of  
Texas, reported by machine shorthand, at the offices of  
Eggleston & Briscoe, 4800 Three Allen Center, 333 Clay  
Street, Houston, Texas, pursuant to the Federal Rules of  
Civil Procedure and the provisions stated on the record  
or attached hereto.

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1 engineering from Princeton University; is that correct?

2 A Yes, aside from about a five-month internship  
3 at General Electric, yes.

4 Q Right. And you list that in your CV, right?

5 A Yes.

6 Q And you finally earned your Ph.D. in  
7 electrical engineering in 2007; is that correct?

8 A Yes, that's correct.

9 Q And what was the subject of your thesis?

10 A Sure. My thesis was on flexible electronics.

11 Q What is a flexible electronic?

12 A Sure.

13 So today's modern computers all run on  
14 microchips. We talk about them -- kind of silicon-based  
15 microchips, the transistor being the most basic device.

16 What we are doing in this case, in the  
17 research group, was trying to put those same devices on  
18 flexible materials. I think one goal is flexible  
19 displays. Back then, people thought that within a few  
20 years, you would start seeing products that had those  
21 types of displays; but that hasn't happened yet. It's  
22 just starting. Samsung has a product, I think, that has  
23 a foldable display. But that was the research.

24 Q If you don't mind my asking, how old are you?

25 A I am 41.

1 the hole was not there when they got to the jobsite,  
2 correct?

3 A When they got there, yes.

4 MR. FERRETI: That's all I have.

5 REEXAMINATION

6 BY MR. VILLARREAL:

7 Q With regards to the hole, and with any testing  
8 that has been done, there are known dimensions of the  
9 hole, correct?

10 A Sure. Yeah. Yeah.

11 Q And have you seen any test with any tool  
12 showing that a tool could pierce the stainless steel?

13 A I am not aware of any test done to date that  
14 show a dropped tool -- well, a dropped spud wrench  
15 penetrating the steel.

16 Q Are you aware of any tests that have been done  
17 by anyone that shows a dropped tool can leave any  
18 markings on the bushing cap that would have the same  
19 dimensions as the dimensions of the hole?

20 A I have to go back, but I believe that the hole  
21 from the Proto -- or the -- not the hole -- the  
22 deformation created by the Proto wrench was smaller.

23 Q And the Proto wrench is -- what are you  
24 referring to?

25 A The one that was identified by Natalie.

1 Q So are you saying that the Proto wrench does  
2 not have physical characteristics that would be  
3 consistent with the hole?

4 A I would have to look at that. I just know  
5 that the diameter of the puncture is bigger than the  
6 diameter of the divot created by the drop test,  
7 Exponent's drop test.

8 MR. VILLARREAL: That's all the questions  
9 I have.

10 REEXAMINATION

11 BY MR. FERRETI:

12 Q One last question while we are on that topic.

13 A Yeah.

14 Q This spud wrench that Natalie Brady identified  
15 in an e-mail where she pulled up some information off a  
16 website, do you know who gave her that information?

17 A No.

18 Q Do you know whether that information was based  
19 on actual Three Phase inventory showing when they buy  
20 these spud wrenches and what they paid for it?

21 A I would have to look. I don't think so. I  
22 don't remember that.

23 Q So other than those hearsay comments from Tim  
24 Darr, or whoever gave her that information, you have no  
25 evidence that, in fact, the spud wrench they identified

1 in the e-mail is the only spud wrench that Three Phase  
2 has ever purchased in the history of the world, correct?

3 MR. VILLARREAL: Objection, form.  
4 Argumentative.

5 A No.

6 Q (BY MR. FERRETI) Okay.

7 MR. FERRETI: That's it.

8 THE REPORTER: Off the record?

9 MR. FERRETI: We are off the record.

10 (DEPOSITION CONCLUDED AT 2:36 P.M.)

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1 THE STATE OF TEXAS:

2 COUNTY OF HARRIS:

3 I, Mona S. Whitmarsh, a Certified Shorthand  
4 Reporter, hereby certify that the foregoing testimony  
5 was given before me after the Witness had been first  
6 duly sworn.

7 I further certify that this deposition was  
8 transcribed under my direction and is a complete and  
9 correct transcript of the proceedings; and that it is  
10 being filed with the Court in accordance with the  
11 Stipulation of Counsel contained in this deposition.

12 I further certify that I am neither attorney for,  
13 related to, nor employed by any of the parties to the  
14 lawsuit in which this deposition was taken. Further, I  
15 am neither related to nor employed by any attorney of  
16 record in this cause; nor do I have a financial interest  
17 in the matter.

18 GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_\_  
19 day of \_\_\_\_\_, 2020.

20

Mona S. Whitmarsh

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